



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

January 6, 2017

Iowa Code section 17A.4(4) requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at <https://www.legis.iowa.gov/publications/fiscal/adminRulesFiscalImpact>.

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Human Services Department

ARC 2846C & ARC 2847C

Rule Summary Increases the Home Health Agency Low Utilization Payment Adjustment (LUPA) rate effective January 1, 2016 (FY 2016), by 2.93% to comply with the Medicare LUPA rate effective June 30, 2016 (FY 2017). The General Assembly appropriated \$1.0 million to fund LUPA rates in HF 2460 (FY 2017 Health and Human Services Appropriations Act) as a part of the Act's Medicaid allocation.

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact **Agency Response:** The rate increase will reduce the General Fund by \$1.0 million in FY 2017 and \$970,000 in FY 2018.

LSA Response: The LSA concurs.

ARC 2848C & ARC 2849C

Rule Summary Amends rules to implement the following changes:

- Increases fee-for-service upper payment limits and reimbursement rates by 1.0% over the rates in effect June 30, 2016, for providers of Home- and Community-Based Service (HCBS) waiver services for which the managed care rate floor is based on the average aggregate reimbursement rate for the fiscal year beginning July 1, 2014.
- Increases the contractual reimbursement rate floor for managed care 1.0% over the rate floor in effect on April 1, 2016.
- Increases the caps on the total monthly cost of HCBS waiver services for members under each waiver and the annual respite limit for the Intellectual

Disability (ID) Waiver by 1.0%. The increases in the caps are put in place so members may receive the same services after the rate increases.

- Removes outdated language regarding encumbering a portion of the cost of Home and Vehicle Modification (HVM) over 12 months as this cost is no longer included in the monthly cap on the cost of services.
- Adjusts the annual limit for specialized medical equipment.

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact

Agency Response: The rate increase will reduce the General Fund by \$2.2 million in FY 2017 and FY 2018. Funding for this increase was provided as part of the Medicaid appropriation in HF 2460 (FY 2017 Health and Human Services Appropriations Act).

LSA Response: The LSA concurs.

Rule Summary

Directs the Department of Human Services (DHS) to establish a claim when Supplemental Nutrition Assistance Program (SNAP) benefits are overpaid or trafficked. When collection of a claim is delinquent, the claim must be referred for recovery to the federal Treasury Offset Program (TOP). This rule change implements an amendment to Section 3716 (c6) of Title 31, United States Code, that shortens the time frame for referring delinquent claims to TOP. Under the revised time frames, claims must be referred to TOP if delinquent over 120 days, instead of over 180 days.

ARC 2884C

Agency Stated Authority: Iowa Code section 234.6.

Fiscal Impact

Agency Response: No fiscal impact. There is no cost to the State as DHS refers debts to the federal Treasury Offset Program, and the time frame of submissions does not have an impact on the amount of SNAP claims owed.

LSA Response: The LSA concurs.

Rule Summary

Implements the State of Iowa Accountable Government Act and the Department of Administrative Services service performance-based contracting rules, revising current rules to reflect the transition to performance-based contracting in regard to foster care group contracting, child emergency welfare services, and supervised apartment living. Amends current rules to reflect current rate and payment practices, including an update in rate methodology determination.

ARC 2885C

Agency Stated Authority: Iowa Code sections 234.6 and 237.3.

Fiscal Impact

Agency Response: No fiscal impact. Although there is a fiscal impact associated with the rule change if a provider fails to submit required cost reports, this has not occurred in the last five years. Therefore, the agency does not believe there is a fiscal impact as a result of this rule change.

LSA Response: The LSA concurs.

Rule Summary

Changes the timing and calculation of Intermediate Care Facilities (ICF) claims for individuals with Intellectual Disabilities (ICF/ID) assessment. Claims will now be collected quarterly rather than monthly based on prior period annual revenue. In addition to the timing and calculation of the fee, penalty provisions for late payments

ARC 2886C

are included. The penalties include a 1.5% fee for late submissions, and suspension of payments after three months of delinquency. Amendments provide for an add-on to the per diem reimbursement rate based on the annual assessments paid by a facility, divided by total annual patient days. Removes obsolete provisions regarding payments to State-operated facilities during the transition to the ICF/ID assessments.

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact

Agency Response: Minimal fiscal impact. The amount of the assessment is changing from 5.5% of prior period annual revenue to 5.5% of paid claims from the preceding quarter. Paid claims will include claims for services rendered that have been paid by any source, not just Medicaid. While this change in methodology will result in short-term timing differences, over the long run, actual paid claims should very nearly equal annual revenue.

LSA Response: The LSA concurs.

Rule Summary

ARC 2890C & ARC 2891C

Implements the January 1, 2017, cost-of-living increases to several State Supplementary Assistance categories as follows:

- A decrease of \$3 per month for Residential Care Facilities (RCF) and Family Life Home Personal Needs Allowances (PNA).
- An increase of \$5 per month for Family Life Home recipients. This increase is offset by a \$3 decrease in the personal needs deduction and a \$2 increase in the average Medicaid copayment per client per month for RCF patients. As a result, there will be no increase or decrease in cost for the State for PNA for FY 2017 or FY 2018.
- A decrease of approximately \$3.14 per recipient per month for RCF patients.
- An increase of \$2 per recipient per month for Dependent Person Assistance recipients.

Agency Stated Authority: Iowa Code section 217.3(6).

Fiscal Impact

Agency Response: Minimal fiscal impact. The net increase in expenditures for State Supplementary Assistance for FY 2017 is anticipated to be \$1,799 and \$3,576 for FY 2018.

LSA Response: The LSA concurs.

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Department on Aging

ARC 2851C

Rule Summary

Updates rules relating to the provision of case management service, including updating criteria for service providers and the explanation of the service process and requirements, clarifying the client discharge and transfer process, amending the monitoring and follow-up process, and updating the requirements for necessary documentation and records retention.

Agency Stated Authority: Iowa Code section 231.23.

Fiscal Impact

Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

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Attorney General

ARC 2877C

Rule Summary Removes outdated references to a repealed provision regarding personal property rights, and makes clarifications and editorial enhancements.

Agency Stated Authority: Iowa Code section 6B.2A(1)(f).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Soil Conservation and Water Quality Division

ARC 2868C

Rule Summary Amends rules for bidding on abandoned mine reclamation projects and includes:

- An increase of the minimum for public bidding from \$25,000 to \$100,000.
- Updating public bid notices to be published on websites instead of published in newspapers.
- Changing the number of days the notice is published in advance of bidding from 15 days to 13 days.

Agency Stated Authority: Iowa Code section 207.21.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. There will be minimal savings from not publishing notices in the newspaper.

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Banking Division

ARC 2869C & ARC 2773C

Rule Summary Amends current rules to permit the Superintendent of the Division of Banking (DOB) to regulate the registration of appraisal management companies (AMCs) pursuant to HF 2436 (Real Estate Appraisal Management Companies, Registration and Supervision Act). Establishes application procedures, renewal procedures, applicable fees, and other requirements necessary to administer this legislation.

Agency Stated Authority: 2016 Iowa Acts, HF 2436, section 20.

Fiscal Impact **Agency Response:** Minimal fiscal impact. For FY 2017, the DOB estimates 45 new applications at a cost of \$750/application, for total revenue of \$33,750. The Division expects to spend \$32,750 of that revenue on salaries and retain the balance. For FY 2018, the DOB estimates an additional 45 new applications at \$750/application, as well as 75 renewals at \$500/renewal. Of the total FY 2018 revenue estimate of \$71,250, the DOB estimates spending \$62,150 on salaries, administering the statute, and retaining a cash flow. For FY 2019, the Division estimates revenues of \$60,000, comprised of \$15,000 from 20 new applications at \$750/application, and \$45,000 from 90 renewal applications at \$500/application. The Division estimates it will use \$68,365 for salary purposes and will retain any additional surplus.

LSA Response: The LSA concurs.

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Insurance Division

ARC 2872C

Rule Summary Requires every investment adviser registered in the State of Iowa to create and implement written procedures to address business continuity and succession planning related to possible instances of disruptions or cessation of business activities.

Agency Stated Authority: Iowa Code section 502.605.

Fiscal Impact **Agency Response:** No fiscal impact. Any additional administrative duties required by these amendments will be absorbed by existing Division staff.

LSA Response: The LSA concurs.

ARC 2873C

Rule Summary Clarifies when, under specific circumstances, an individual licensee does not have to provide an annual notice about the treatment of nonpublic personal information.

Agency Stated Authority: Iowa Code section 505.8.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Economic Development Authority

ARC 2864C

Rule Summary Establishes the Enhance Iowa Board, describes the composition of the Board and its voting procedures, designates the programs that the Board will oversee, and establishes review committees for those programs. Establishes the Sports Tourism Program, adds Program definitions, sets eligibility criteria for applicants, describes the application process and application review criteria, establishes an application review committee, and describes how the Program will be administered.

Agency Stated Authority: Iowa Code section 15.106A.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2867C

Rule Summary Establishes new rules governing the administration of the Renewable Chemical Production Tax Credit Program. The Program was created by SF 2300 (Renewable Chemical Production Income Tax Credit Act), during the 2016 Legislative Session. Provides for Program administration by the Authority and also outlines tax credit eligibility requirements, the application process and application review, calculation of the tax credit, administration of the tax credit wait list, the process for claiming the credit, and the process to add additional building block chemicals by administrative rule.

Agency Stated Authority: Iowa Code section 88.5.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs in part. The projected fiscal impact remains as stated in the Fiscal Note for SF 2300.

The Renewable Chemical Production Tax Credit is estimated to reduce General Fund revenue by a total of \$18.0 million over five fiscal years. General Fund revenue will be reduced as follows:

- FY 2018 \$0.0 million
- FY 2019 \$0.6 million
- FY 2020 \$3.6 million
- FY 2021 \$6.0 million
- FY 2022 \$7.8 million

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State Public Defender

ARC 2830C

Rule Summary Allows an attorney in an adult criminal case to submit an indigent defense fee claim within 45 days after the date of the expiration of the time for an appeal from a judgment of conviction.

Agency Stated Authority: Iowa Code section 13B.4(8).

Fiscal Impact **Agency Response:** No fiscal impact. The amendment simply allows contract attorneys a fairer opportunity to timely submit a fee claim after all required services have been performed.

LSA Response: The LSA concurs.

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Law Enforcement Academy

ARC 2850C

Rule Summary Amends current rules to comply with 2016 Iowa Acts, HF 2267 (City Civil Service Residency Requirement Act), by changing the residency requirement of civil service employees employed by cities and permitting employees to reside outside of the State of Iowa if a city ordinance allows it. The rulemaking also allows certified police officers and certified reserves who are allowed to live outside of the State of Iowa to possess out-of-state driver's licenses.

Agency Stated Authority: Iowa Code section 400.17(3).

Fiscal Impact **Agency Response:** No fiscal impact. There is no impact to the General Fund; however, these changes may potentially lower costs for individual officers and law enforcement agencies.

LSA Response: The LSA concurs.

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Natural Resource Commission

ARC 2831C

Rule Summary Establishes rules for the Lease to Beginning Farmers Program. The Program allows a certified beginning farmer to obtain agricultural production leases on land managed by the Department of Natural Resources (DNR) before the leases are available to the general public. The Program began in 2013 with the passage of HF 457 (FY 2014 Agriculture Land Leasing to Beginning Farmers Act). Over the past three years, the Department has entered into approximately 150 leases with beginning farmers.

Agency Stated Authority: Iowa Code section 456A.38.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Public Health Department

ARC 2836C

Rule Summary Updates the requirement for meningococcal vaccination upon entry into seventh and 12th grades pursuant to 2016 Iowa Acts, HF 2460 (FY 2017 Health and Human Services Appropriations Act). Adds the definition of a pharmacist, establishes provisions to terminate Immunization Registry Information System users for failure to comply with the release of information and confidentiality requirements, adds provisions to allow a pharmacist to release immunization and health screening information, and makes technical corrections.

Agency Stated Authority: Iowa Code section 139A.8.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2837C

Rule Summary Provides a general update for the Backflow Prevention Assembly Tester Registration Program.

Agency Stated Authority: Iowa Code section 135K.4.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2838C

Rule Summary Allows certified radon measurement specialists to release radon measurement results to prospective homebuyers that contracted to have the testing performed during the negotiation of a home sale. Also makes technical corrections.

Agency Stated Authority: Iowa Code section 136B.4.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2839C

Rule Summary Updates definitions and rules for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Program.

Agency Stated Authority: Iowa Code chapter 135.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2840C

Rule Summary Strikes references to the Iowa Public Health Standards that were repealed in 2016 Iowa Acts, SF 2159 (State and Local Administration of Public Health Services Act). Revises the contents of the application form for a district board of health and amends the approval process to give the State Board of Health the final review, approval, or denial of district boards of health.

Agency Stated Authority: Iowa Code section 137.119.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2841C

Rule Summary Requires the county medical examiner, deputy medical examiner, and medical examiner investigators to submit a joint invoice for work performed to the county of appointment. The county of appointment can choose to pay the invoice immediately or forward the invoice to the decedent's county of residence for payment to county medical examiner staff. If payment is not received by the county medical examiner staff from the county of the decedent's residence within 60 days, the county of appointment will pay the invoice to the county medical examiner staff. These changes are related to 2016 Iowa Acts, HF 2446 (County Medical Examiner Fees Act).

Agency Stated Authority: Iowa Code section 691.6.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Dental Board

ARC 2870C

Rule Summary Allows multiple entities to administer the Board-approved jurisprudence examination. Permits applicants for licensure the ability to show successful completion of any of the nationally recognized regional examinations. Revises requirements for applicants that have held a license in another state. Makes technical corrections.

Agency Stated Authority: Iowa Code sections 147.34 and 153.21.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2871C

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Rule Summary Allows applicants for licensure the ability to show successful completion of any of the nationally recognized regional examinations.

Agency Stated Authority: Iowa Code sections [147.34](#), [147.36](#), and [153.21](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Pharmacy Board

Rule Summary Establishes the Iowa Monitoring Program for Pharmacy Professionals to support the evaluation and monitoring of licensees who are impaired as a result of alcohol or drug dependency, or addiction, or by any mental or physical disorder or disability, while protecting the health, safety, and welfare of the public. **ARC 2834C**

Agency Stated Authority: Iowa Code section [272C.3](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary Permits a pharmacist technician or pharmacist intern to dispense a product containing ephedrine, pseudoephedrine, or phenylpropanolamine under the direct supervision of a pharmacist. Adopts technical corrections and general updates. **ARC 2858C**

Agency Stated Authority: Iowa Code section [147.76](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary Decreases the waiting period for retaking the North American Pharmacist Licensure Examination (NAPLEX) from 91 days to 45 days, with a limit of three attempts to pass the NAPLEX within a 12-month period. **ARC 2859C**

Agency Stated Authority: Iowa Code section [147.76](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Public Safety Department

ARC 2874C

Rule Summary Establishes rules for the public fueling of vehicles with LP gas to be in compliance with existing rules of the International Fire Code, 2015 Edition.

Agency Stated Authority: Iowa Code sections 101.1(1), 101.2, 101.4, and 101.5.

Fiscal Impact **Agency Response:** No fiscal impact. Owners and operators of LP gas facilities may experience minimal fiscal impact resulting from the investment in infrastructure to install LP gas fueling stations.

LSA Response: The LSA concurs.

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Revenue Department

ARC 2833C

Rule Summary Updates current rules on tax credits for certain geothermal heat pump properties by adding clarifying information about the newly established tax credit for the same types of properties. The existing credit is calculated as a percentage of the federal credit for geothermal heat pump properties. The federal credit is set to expire at the end of this year and the newly established Iowa credit is intended to allow Iowans to continue claiming a credit for certain geothermal installations. These amendments describe the two credits and their respective relationships to the federal credit.

Agency Stated Authority: Iowa Code section 422.68.

Fiscal Impact **Agency Response:** The Department of Revenue submitted the Fiscal Note from the 2016 Legislative Session.

LSA Response: The Geothermal Tax Credit will decrease General Fund revenue by \$2.2 million in FY 2018, and will grow to \$3.7 million in FY 2023.

ARC 2865C

Rule Summary Provides guidelines as to how individual income and corporation income tax filers may claim the Renewable Chemical Production Tax Credit. Describes the Department of Revenue's role in credit administration and how to claim the credit, and provides cross-references to relevant Economic Development Authority rules.

Agency Stated Authority: Iowa Code section 422.68.

Fiscal Impact **Agency Response:** No fiscal impact. The Economic Development Authority will use its existing tax credit cap to award this credit; therefore, the credit is expected to be revenue neutral.

LSA Response: The LSA concurs.

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Secretary of State

ARC 2856C

Rule Summary Implements changes from the enactment of SF 2306 (Facilitating Business Rapid Response to State-Declared Disasters Act) requiring out-of-state organizations aiding in disaster recovery to register in Iowa within 15 days of entering the State.

Agency Stated Authority: Iowa Code section 29C.24.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Transportation Department

ARC 2842C

Rule Summary Allows the Department of Transportation (DOT) to set aside up to 50.0% of funds received by the Grade Crossing Surface Repair Fund for discretionary purposes. The remaining funding will be allocated in the order that applications are received.

Agency Stated Authority: Iowa Code sections 307.12 and 307A.2.

Fiscal Impact **Agency Response:** No fiscal impact. The rule amendments modify the way in which funds may be awarded under the Highway-Railroad Grade Crossing Surface Repair Program, but do not change the amount of funding awarded under this Program.

LSA Response: The LSA concurs. The Program receives an annual standing appropriation of \$900,000 each year from the Road Use Tax Fund. The cost share between the DOT, railroad, and highway authority remains unchanged.

ARC 2843C

Rule Summary Implements the federal Surface Transportation Block Grant Program (STBGP) to comply with federal changes that modified the federal Fixing America's Surface Transportation (FAST) Act to the federal Surface Transportation Program block grant.

Agency Stated Authority: Iowa Code sections 307.12 and 307A.2.

Fiscal Impact **Agency Response:** Pursuant to 2016 Iowa Acts, SF 2320 (FY 2017 Transportation Appropriations Act), the General Assembly allocated \$149.3 million in FFY 2017 to the STBGP.

LSA Response: The LSA concurs.

ARC 2863C

Rule Summary Adds an adaptive signal control system to the types of coordinated traffic signal systems listed and makes clarifying and coordinating changes. The Department is updating the types of traffic signal coordination to include the newest technology as part of the five-year rule review process.

Agency Stated Authority: Iowa Code sections 307.12, 307A.2, and 364.24.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

	<u>ARC 2878C</u>
Rule Summary	Adopts amendments made to the Code of Federal Regulations by reference. Amended chapters include “Regulations Applicable to Carriers,” “For-Hire Interstate Motor Carrier Authority,” and “Commercial Driver Licensing.” Agency Stated Authority: Iowa Code sections <u>307.12</u> , <u>307A.2</u> , <u>321.188</u> , <u>321.449</u> , and <u>321.450</u> .
Fiscal Impact	Agency Response: The federal regulations to be adopted were subject to fiscal impact review by either the Federal Motor Carrier Safety Administration or the Pipeline and Hazardous Materials Safety Administration when enacted and were determined not to be cost prohibitive. LSA Response: The LSA concurs.
	<u>ARC 2887C</u>
Rule Summary	Increases the maximum speed of a motorized bicycle from 30 miles per hour to 39 miles per hour to conform to Iowa Code section <u>321.1</u> . Corrects an office name and Iowa Code citations. Agency Stated Authority: Iowa Code sections <u>307.12</u> and <u>307A.2</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
	<u>ARC 2888C</u>
Rule Summary	Revises the process for a veteran to obtain a veteran designation on a driver’s license or nonoperator’s identification card. Allows a veteran to present certification of release or discharge from active duty (DD form 214) to the Department to obtain a veteran designation. Agency Stated Authority: Iowa Code sections <u>307.12</u> and <u>307A.2</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
	<u>ARC 2889C</u>
Rule Summary	Updates the Department’s organizational chapter to: <ul style="list-style-type: none">• Update the mission statement.• Add the Department’s website.• Reflect current responsibilities pursuant to changes made in Iowa Code section <u>307A.2</u> and Iowa Code chapter <u>307</u>, and current agency operation.• Update the implementation sentence of Iowa Code chapter <u>307</u>.• Remove references to the defunct Office of Policy and Legislative Services. Agency Stated Authority: Iowa Code sections <u>307.12</u> and <u>307A.2</u> .
Fiscal Impact	Agency Response: No fiscal impact. The changes relate to the Department and its organization. LSA Response: The LSA concurs.

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Treasurer of State

ARC 2875C

Rule Summary Makes updates to rules for participants in the Iowa Educational Savings Plan (529 Plan). Provides revisions, updates, and clarifications to existing Iowa Educational Savings Plan Trust rules.

Fiscal Impact **Agency Stated Authority:** Iowa Code chapter 12D.
Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

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Labor Services Division

ARC 2866C

Rule Summary Adopts the new federal Occupational Safety and Health Administration (OSHA) standards concerning walking and working surfaces.

Agency Stated Authority: Iowa Code section 88.5.

Fiscal Impact **Agency Response:** Fiscal impact cannot be determined. Information specific to Iowa is not available. The federal OSHA estimated that nationally the combined dollar value of prevented fatalities and injuries will total \$615.0 million per year. The OSHA also estimated that the net monetized benefits of the final standard will be \$310.0 million (\$615.0 million in benefits minus \$305.0 million in compliance costs).

LSA Response: The LSA concurs.

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Department of Education

ARC 2844C

Rule Summary Updates rules to reflect the changes set out in the federal Workforce Innovation and Opportunity Act of 2014. Amends current rules governing the use of federal and State funds for vocational rehabilitation services for persons with mental or physical disabilities who are seeking to obtain or retain competitive employment through the Department's Division of Vocational Rehabilitation Services.

Agency Stated Authority: Iowa Code section 256.7(5).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2853C

Rule Summary Updates accreditation standards for Iowa's community colleges to align those standards with those of the Higher Learning Commission.

Agency Stated Authority: Iowa Code section 256.7(5).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Rule Summary	Implements the system of career and technical education as adopted pursuant to 2016 Iowa Acts, <u>HF 2392</u> (Career and Technical Education Schools Act).	<u>ARC 2855C</u>
Fiscal Impact	Agency Stated Authority: Iowa Code section <u>256.7(5)</u> . Agency Response: No fiscal impact. LSA Response: The LSA concurs.	
Rule Summary	Permits a school district to seek a one-year waiver for an offer-and-teach subject from the Department of Education. With this waiver, the subject may be provided through an online course that is not available through the Iowa Online Learning (ILO) initiative either because the ILO does not provide that course or the ILO lacks capacity. To qualify for such a waiver, the course content must be provided by an Iowa-licensed teacher with online learning experience and must be aligned with State content standards.	<u>ARC 2861C</u>
Fiscal Impact	Agency Stated Authority: Iowa Code section <u>256.7(5)</u> . Agency Response: No fiscal impact. Impact to school districts cannot be determined at this time. LSA Response: The LSA concurs.	
Rule Summary	Requires school districts to adopt literacy strategies that formally address dyslexia as defined in statute and reflects the one-year delay in the implementation of intensive summer literacy programs adopted by the General Assembly pursuant to 2016 Iowa Acts, <u>HF 2413</u> (School Student Reading Assessments and Summer School Act).	<u>ARC 2862C</u>
Fiscal Impact	Agency Stated Authority: Iowa Code section <u>256.7(5)</u> . Agency Response: No fiscal impact. LSA Response: The LSA concurs.	
Rule Summary	Implements the recommendations of the Assessment Task Force in regard to the statewide science assessment for accountability.	<u>ARC 2854C</u>
Fiscal Impact	Agency Stated Authority: Iowa Code section <u>256.7(21)</u> . Agency Response: Fiscal impact cannot be determined. LSA Response: The LSA concurs. In March 2016, the Assessment Task Force recommended the ACT Aspire Science Assessment to fulfill the statewide science assessment requirement. This assessment is estimated to cost between \$8.00 and \$13.20 per student. As it is unclear what agency will be responsible for covering the cost of the assessment, no further fiscal estimate is available at this time.	
Rule Summary	Addresses the creation of standards for certification and inspection of children's residential facilities established through 2016 Iowa Acts, <u>SF 2304</u> (Children's Residential Facilities, Standards for Certification and Inspection Act). Requires the	<u>ARC 2852C</u>

State Board to adopt rules governing education programs and education services provided by children's residential facilities pursuant to Iowa Code section 282.34.

Agency Stated Authority: Iowa Code section 256.7(21).

Fiscal Impact Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

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Medicine Board

ARC 2860C

Rule Summary Updates the Iowa Code chapter governing licensure of acupuncturists, including identifying diagnostic and treatment modalities, revising requirements for the disclosure statement, and requiring that licensees report full legal name changes.

Agency Stated Authority: Iowa Code section 147.76.

Fiscal Impact Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Kenneth Ohms (515)725-2200 kenneth.ohms@legis.iowa.gov

Professional Licensure Division

ARC 2845C

Rule Summary Updates the Iowa Code chapters on Marital and Family Therapists and Mental Health Counselors related to licensing and continuing education. Changes include revising definitions, exam requirements, supervision requirements, continuing education requirements, and making technical corrections.

Agency Stated Authority: Iowa Code section 147.76.

Fiscal Impact Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

ARC 2857C

Rule Summary Updates references and legal citations to the Board of Chiropractic's website and makes technical corrections.

Agency Stated Authority: Iowa Code sections 147.76, 151.11, and 272C.3.

Fiscal Impact Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

ARC 2832C

Rule Summary Establishes minimum standards for supervision of a physician assistant within physician-physician assistant care teams.

Agency Stated Authority: Iowa Code section 148C.3.

Fiscal Impact Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

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Architectural Examining Board

ARC 2876C

Rule Summary Implements a reduced number of continuing education credits for an individual who is reinstating a license to active status to be in compliance with current Board rules.

Agency Stated Authority: Iowa Code section 544A.29.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Department of Agriculture and Land Stewardship

ARC 2879C

Rule Summary Eliminates a reference to being an Iowa resident for quarterhorse stallion owners that was inadvertently omitted from ARC 1582C.

Agency Stated Authority: Iowa Code section 99D.22.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2880C

Rule Summary Updates references to federal regulations to retain recognition of the State meat and poultry program.

Agency Stated Authority: Iowa Code section 189A.7.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2881C

Rule Summary Amends the definition of “sensitive crops registry” by including the FieldWatch Program. This reflects the Department’s planned move to the FieldWatch online registry tools for pesticide-sensitive crops to assist in planting pesticide-sensitive crops, utilizing pesticide applicators, and supporting beekeepers.

Agency Stated Authority: Iowa Code section 206.6.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2882C

Rule Summary Eliminates the requirement to list a social security number on the certificate of completion form for pesticide applicator continuing instruction courses.

Agency Stated Authority: Iowa Code section 206.5.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary Simplifies the process for registering a standardbred horse as Iowa-foaled by eliminating a requirement that the U.S. Trotting Association certificate be physically sent to the Department of Agriculture and Land Stewardship.

ARC 2720

Agency Stated Authority: Iowa Code section 99D.22.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Department of Homeland Security and Emergency Management

Rule Summary Updates the funding stream to the local Public Service Answering Points (PSAPs) and provides that E911 surcharge revenues be used for funding the Statewide Interoperable Communications System. Implements HF 2439 (E911 Surcharge Fund) and SF 2326 (E911 Funding). House File 2439 increases the amount of E911 surcharge revenues passed on to the PSAPs from 46.0% to 60.0% of revenues collected. The allocation of revenue continues in proportion to the PSAP square mileage and the number of wireless E911 calls received by each PSAP. The amount that can be spent for consolidation and other grants to the PSAPs, and for the development of public awareness and educational programs, is limited to \$4.4 million in FY 2017. This allows for estimated carryover amounts of \$8.6 million at the end of FY 2017 and \$9.7 million at the end of FY 2018. Senate File 2326 authorizes the State Treasurer to make a one-time payment of \$4.4 million from the E911 Wireless Surcharge Fund to the Department of Public Safety for payment of the FY 2017 financing agreement for the Statewide Interoperable Communications System. The first lease-purchase payment to Motorola of \$4.0 million was made in February 2016. No long-term funding stream has been identified for the System.

ARC 2835C

Agency Stated Authority: Iowa Code sections 17A.3 and 34A.22.

Fiscal Impact **Agency Response:** The actual amount of revenue passed through to the PSAPs from the E911 wireless surcharge for FY 2016 was \$13.2 million. This amount is projected to be \$16.8 million in FY 2017. The actual amount of carryover grants to the PSAPs in FY 2016 was \$11.1 million, and will be limited to \$4.4 million in FY 2017. The decrease in these two funding items to the PSAPs in FY 2017 from FY 2016 is projected to be \$3.1 million.

LSA Response: The LSA concurs. There is no impact to the General Fund, as all revenues are from the E911 wireless surcharge. The funding increase or decrease by individual PSAP will vary. The ending balance for FY 2016 in the E911 Wireless Surcharge Fund was \$16.3 million.

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